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SUBJECT: SE GRATION MEETING WITH SPLA LEADERSHIP

11. (SBU) SUMMARY: Minister for SPLA Affairs Nhial Deng Nhial briefed SE Gration on the status of SPLA transformation and the importance of this process for the Southern military to continue to be a credible, and respected, guarantor of the CPA. He underscored SPLM and SPLA willingness to assist in restoring peace to Darfur, and reviewed long-tabled and controversial plan for a 10,000-strong SPLA peacekeeping force in Darfur, to date strongly rejected by Khartoum. He argued that near-equal forces along the North/South border are required to deter Khartoum's machinations towards the South, and rejected the NCP's demands that the 2011 Referendum Act must include provisions on post-separation arrangements. He welcomed USG initiatives to revive SPLM/NCP dialogue, terming present discussions "flat," but cautioned against moving away from the CPA's existing implementation time schedule. END SUMMARY.

12. (SBU) Minister for SPLA Affairs Nhial Deng Nhial and Sudan Peoples' Liberation Army (SPLA) Chief of Staff MG Oyal Deng Ajak met with the President's Special Envoy to Sudan Scott Gration, USSES Tim Shortley, CDA Fernandez, CG Datta, and poloffs on April 6 in Juba. Nhial's sentiments reflected his dual leadership role as both Chairman of the SPLM ICC Crisis Committee and the minister charged within institutional reform of the SPLA three years into the peace. Chief of Staff Deng noted the sometimes conflicting USG approach to Sudan (in particular, sanctions-driven bars to specific types of assistance to the SPLA) and then asserted that the SPLA remains Sudan's guarantor of the CPA in the face of "Muslim fundamentalists within the NCP." He noted his belief that the SPLA has evolved significantly since 2005, and that its will to defend the CPA remains strong, despite continuing and new challenges posed by an enlarged force structure and budget short-falls. Both men thanked the USG for its ongoing assistance and infrastructure development programs.

SPLA TRANSFORMATION AND USG SUPPORT

13. (SBU) Nhial reviewed for the Special Envoy the obstacles to rapid transformation now facing the SPLA. The CPA calls for both SAF and SPLA force reduction in advance of the 2011 Referendum. Nhial noted "we were compelled by political realities to move in the opposite direction." The SPLA, under GOSS President Salva Kiir's direction, has instead absorbed three-tiers of militias and other armed groups into the SPLA since 2006, in order to ensure stability in the South. The latest group integrated into the Southern military is an amalgamation of Misseriya and Dafuri militias, and is considered the last-wave of formerly Khartoum-aligned (now Khartoum-abandoned) militias integrated into the SPLA.

14. (SBU) The Minister then reviewed for the SE that decision's impact on the SPLA's 2005 goal of launching a robust, skills-training-based DDR program that would expedite wounded and redundant soldiers' reintegration into civilian life. "We have been forced to abandon much of that because of resource constraints," he stated, noting that transfer of 32,000 SPLA into the care of the Southern Sudan Widows, War Wounded, and Orphans Commission was now put on hold because of Juba's current budget crisis. (NOTE: Payroll and operating costs absorb approximately 93 percent of the SPLA's budget, the largest expense in the GOSS budget. END NOTE.)

SPLA: GUARANTOR OF THE CPA

15. (SBU) Nhial reiterated the SPLA's need for continued USG support, reminding SE Gration of Khartoum's continued machinations towards Juba. The NCP's oil is made possible by southern Sudanese, he said, and Sudan is entering a dangerous period as a result. "Khartoum's strategy is to fight the SPLM politically and militarily by proxy: encouraging Southern Sudanese politicians opposed to the SPLM under one tent, reviving anti-Southern militia groups, and the integrating pro-Khartoum forces into the Joint Integrated Units. "This is why the SPLA exists - to protect the CPA - it is our mission," he stressed.

16. (SBU) According to Nhial, the Security Arrangements were intentionally chosen by the SPLM as the second pillar of the CPA's formation during the Navaisha peace process. "Without these security provisions, including the continuation of the SPLA, the agreement would not have lasted to today." The reason there are two armies in Sudan is to make sure the CPA is implemented fully. "We can't have a lasting imbalance of power," Nhial continued, "but I don't believe the SPLA will ever reach the full strength of the SAF anyway." He asserted that Khartoum has passed Ethiopia as the largest military power in the region, and estimated the SAF budget

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to be ten-times that of the SPLA. "We must build up military muscle in order to hope that Khartoum would think twice about hitting the South," Nhial said, referring to the Special Envoy's earlier

argument on resource commitments, comparing it to U.S./USSR force posture during the Cold War. "Like America did, we must successfully persuade the NCP to believe going back to war is unwise."

17. (SBU) Turning to political elements of CPA implementation, Nhial underscored for the SE the need for NCP movement on reform of the National Security Act, full acceptance of the Permanent Court of Arbitration's pending decision on Abyei boundaries, and urgent demarcation of the 1956 North/South border. Reviewing the status of dialogue between the NCP and SPLM, Nhial cautioned that "we are discussing with our partners a way forward but we have scored no successes. Hopefully your visit will generate much-needed traction - and again make possible Sudan's democratic transformation." He emphasized the monitoring of elections as more essential than the outcome of the elections themselves because "monitoring will serve to undermine the NCP if they attempt to steal the elections - it will expose them, and then the people of Sudan will rise up as one to fight." He agreed with the SE's earlier comments to First VP Kiir (septel) that Darfur needs to be resolved immediately. "If Darfur is still in turmoil by elections, violence will disenfranchise the people and call into question the entire legitimacy of the elections. We want to avoid that scenario." He differed with recent statements by UN Secretary General Ban Ki Moon that Darfur is primarily a resource-driven conflict, noting that its origins "are largely political and stem from systemic marginalization, and for that reason the SPLM really has a role to play in the resolution of the crisis."

SPLA PKO IN DARFUR?

18. (SBU) The Minister stressed for the Special Envoy that SPLM engagement on Darfur need not be limited to the political realm. Former SPLM Chairman John Garang had once conceptualized the deployment of an integrated SPLA/SAF peacekeeping force in Darfur, and Kiir re-tabled the idea within the GNU Presidency in 2007. Kiir's commitment, which Nhial supports, was for the following: a 30,000-strong peacekeeping force consisting of equal numbers of SPLA, SAF, and international peacekeeping forces. The SPLA would command the integrated Sudanese forces in order to boost civilian confidence. Nhial noted that thus far Bashir and the SAF have consistently and firmly rejected the SPLA peacekeeping proposal, fearing an increase in pro-SPLM sentiments in Western Sudan in the run-up to nationwide elections. Nhial argued that peace in Darfur has three-prerequisites: the NCP actively taking the movements seriously, a Cessation of Hostilities, and a defined role for the SPLM and SPLA. On the final point, Nhial conceded that "while we could just listen, it should be something more than that if we want success."

NHIAL: GUIDANCE FOR THE NCP ON 2011

19. (SBU) Nhial emphasized that the NCP needs to look afresh at its relationship with the SPLM, and restore legitimacy to the "CPA partnership." Looking ahead to 2011, Nhial noted that the NCP needs to determine how to underscore the concept of voluntary unity, and address the issues of religion and state - the underpinning of the Machokos Protocol that laid the foundation for greater peace. "The Referendum gives people a choice. Right now that choice is between an Islamic North and a Secular South."

110. (SBU) According to Nhial, the NCP has said it would only consider enacting the referendum law if the SPLM accepts post-referendum guarantees on sharing assets and liabilities. "But that's a problematic position," he continued, "the referendum law itself is procedural. Tying political discussions for post-2011 arrangements to its drafting and passage almost pre-judges the outcome of the Referendum when that is not our role and not our choice as politicians - it is a decision for the people of Southern Sudan and Abyei." Southerners as a constituency regard the Referendum as the most important thing - if the NCP goes back on it, they are renouncing the CPA's cornerstone, laid not at Naivasha but Machokos. "It's almost normal for us as Sudanese to be in conflict - NCP respect for the right of referendum gives us a much-needed chance to avoid that."

GRATION ON CPA, WITH MUTED PUSHBACK FROM NHIAL

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111. (SBU) SE Gration reviewed for the SPLA his mandate as President Obama's Special Envoy to Sudan, and noted that despite the President's campaign theme of "Change," the USG remains committed to the CPA and an enduring peace in Sudan. "We want to create an environment where we can hold all players accountable," the SE noted, "we need to get the CPA back on schedule, and use the next ninety days to put an appropriate focus on North/South relations and push Darfur to the back-burner" once we make progress there. He reiterated earlier points on the need to move quickly on the consolidation of key CPA elements essential for the 2011 Referendum. "We have no more time to wait, and we must simultaneously work on CPA implementation and "socializing" the Referendum in order that its outcome is viewed as legitimate by the international community. "We cannot wait until next year. Things like 1956 border demarcation must move now," he said.

112. (SBU) The Special Envoy reviewed his hope for trilateral discussions between the USG, Taha, and Kiir, on a reinvigorated implementation timeline. Nhial pushed back slightly on the idea, noting that timelines already are provided within the CPA, "but the NCP has been allowed to flout them." He returned to stalled border demarcation to underscore his point. "Where the 1956 line lies is actually fact - Sudan was formerly under British control, there are records. However, the NCP tries to come up with their own version of history. The people of the South will not accept being told 'you can go your own way but minus your resources.'" In Nhial's opinion, the NCP/SPLM dialogue is "flat," reduced to "mere courtesies," but "in reality we are talking at cross-purposes." He agreed that

inter-party talks need to be reinvigorated, but cautioned that the NCP will not like U.S. engagement. "Their perception of America is negative - they view engagement with Washington as a means of containing American hostility," the Minster said. "It's ironic," he noted, "because really that is an internal sentiment," chuckling that the NCP continues to underestimate the SPLM and SPLA, and the will of the Sudanese people.

¶13. (SBU) Comment: This first meeting between SE Gration and the leadership of the SPLA provided a good look at the main issues that continue to plague the relationship between the NCP and the SPLM - a lack of trust and a belief by the SPLM (based on experience) that the NCP will do anything it can to undermine the CPA to its own advantage. It is odd that Nhial raised the old chestnut of SPLA troops in Darfur, a total non-starter for the NCP as it would essentially open a potential new front in the West for the SPLA in case there should be renewed conflict between the two parties. Under these tense circumstances, it remains evident that continued deeper engagement by the U.S. to ensure adequate preparation for the referendum (and elections), border demarcation and to prevent a return to war is essential. End comment.

¶14. (U) SE Gration reviewed this message before transmission.

FERNANDEZ